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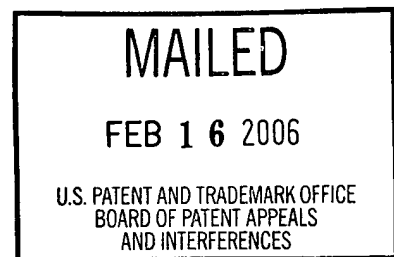
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte GREGORY J. HINKLE,
JINGDONG LIU, and
LINDA T. PARKER

Appeal No. 2005-0837
Application 09/938,294

ORDER DISMISSING APPEAL



Before FLEMING, Chief Administrative Patent Judge,
HARKCOM, Vice Chief Administrative Patent Judge,
ADAMS, Administrative Patent Judge.



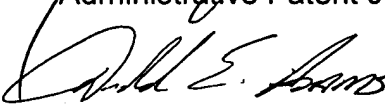
Per curiam.

On February 1, 2006, counsel for the appellants filed a Request for Continued Examination (RCE) under 37 CFR § 1.114. Pursuant to the notice entitled "Request for Continued Examination Practice and Changes to Provisional Application Practice," 65 Fed. Reg. 50092, 50095 (Aug. 16, 2000), and the provisions of 37 CFR § 1.114(d), a request for continued examination under 37 CFR § 1.114 filed after appeal has been taken, but prior to a decision on the appeal, "will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner."

Accordingly, the appeal in this application is dismissed.

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The application is being returned to the examiner for further action as may be appropriate.

 Michael R. Fleming, Chief Administrative Patent Judge	}	BOARD OF PATENT APPEALS AND INTERFERENCES
 Gary V. Harkcom, Vice Chief Administrative Patent Judge		
 Donald E. Adams Administrative Patent Judge		

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